

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re application of

Magali BOU et al.

Conf. 1216

Application No. 10/560,086

Group 1657

Filed December 9, 2005

Examiner H. Lilling

ALCOHOL-TOLERANT MALOLACTIC STRAINS FOR THE MATURATION OF  
WINES WITH AVERAGE OR HIGH PH

DECLARATION OF AVAILABILITY AND MAINTENANCE OF MICROORGANISM

Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The LALLEMAND SAS of Blagnac, FRANCE, assignee of the above-identified application, declares that **MA18/5M** deposited on **March 22, 1991**, in the permanent collection at the **CNCM (Collection Nationale de Cultures de Microorganismes =National Collection of Cultures Microorganims)**, Institut Pasteur, 28 rue du Dr. Roux, 75015 Paris, France. The deposit will be available during the pendency of the above-identified application to one determined by the Commissioner of Patents and Trademarks to be entitled to access thereto under Rule 14 of the Rules of Practice in Patent Cases and 35 USC 122, and that all restrictions on the availability to the public of the culture so deposited will be irrevocably removed upon the granting of the patent; that the deposit will be replaced should the culture die during the pendency of the application or during the life of the patent, and

that whatever steps needed will be taken to maintain the culture in its above-described accessibility and availability for 30 years in accordance with the Budapest Treaty or for five years after the last request for the deposit at the depository or for the enforceable life of the U.S. patent to issue, whichever is longer.

SANCHEZ Christian declares that he is a representative of the assignee company and is authorized to sign this declaration on behalf of the company. The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name SANCHEZ Christian



Date 15 05 2009

# CNCM

Collection Nationale  
de Cultures de Microorganismes

INSTITUT PASTEUR

25, Rue du Docteur Roux  
75724 PARIS CEDEX 15

Tél: (33-1) 45 68 82 50  
Fax: (33-1) 45 68 82 36

01 JUIN 1995

AUTORITÉ DE DÉPÔT INTERNATIONALE  
AUX TERMES DU TRAITE DE BUDAPEST

INTERNATIONAL DEPOSITARY AUTHORITY  
UNDER THE BUDAPEST TREATY

## RECEPISSE

en cas de dépôt initial  
aux termes d'un accord bilatéral  
entre le déposant et la CNCM

## RECEIPT

in the case of an original deposit  
under a bilateral agreement  
between the depositor and the CNCM

Nom et adresse du déposant  
*Name and address of the depositor*

**LALLEMAND s.a.**  
**F-15130 SAINT-SIMON (FRANCE)**

Représenté par  
*Represented by* **Mr. A. LANGLAIS**

Référence d'identification donnée par le déposant  
*Identification reference given by the depositor*

**PR**

Numéro d'ordre attribué par la CNCM  
*Accession number given by the CNCM*

**MA18/5M**

La présente autorité de dépôt internationale accepte  
le microorganisme identifié ci-dessus qu'elle a reçu  
le 22 mars 1991 aux termes d'un accord bilatéral.

*The present international depositary authority accepts the  
above-identified microorganism that it has received on  
March 22, 1991 under a bilateral agreement.*

Elle assure la conservation du dit microorganisme  
sous une forme viable et non contaminée pendant  
20 (vingt) ans à partir de la date de réception du  
microorganisme.

*It keeps viable and uncontaminated the said microorganism  
for 20 (twenty) years after the date on which the micro-  
organism was received.*

Fait à Paris, le 29 mai 1995  
*Done in Paris, on May 29, 1995*

  
**Yvonne CERISIER**  
Directeur administratif de la CNCM  
*Administrative director of the CNCM*